

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – I&CAD Dept., - APES – Allegations against Sri G.Simhachalam, Senior Assistant of Irrigation Sub Division, Sompeta – Disciplinary action initiate against him as per Rule Rule 20 of APCS (CC&A) Rules, 1991 – Show cause notice – Reply submitted – Penalty imposition of stoppage of two annual grade increments without cumulative effect – Orders – Issued.

IRRIGATION AND CAD (SER.IV.2) DEPARTMENT

G.O.Ms.No.184

Dated 30-10.08.
Read the following:-

1. Memo No.Rc/ENC/SI(1)/4416/2005, dt.2.4.2005.
2. WSSD of Sri B.Ramanna, A.E.,(Retd) & Sri G.Simhachalam, Sr.Asst. dt 20.4.2005 & 3.12.05
3. Memo No.Rc/ENC/S1(1)/4416/2005-1, dt.19.8.2005.
4. From the PA&S.E.,Vamsadhara Project Circle, Srikakulam and Enquiry Officer, Lr.No.PA&Superintending Engi-neer/SKLM/40 Conf, dated 31.12.2005.
5. Govt. Memo No.11746/Ser.IV.2/06-2, dt.30.11.2006.
6. Representation submitted by Sri B.Ramanna, A.E.(Retd), dated 31-12-2006 & Sri G.Simhachalam, Sr.Asst., dt.9.1.07.
7. Govt. Lr.No.11746/Ser.IV.2/06-5, dated 10.07.2008.
8. From the Secretary, APPSC, Lr.No.572/RT-I/2/08, dt.5.9.08.

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In reference 1st cited, the articles of charges were issued to Sri B.Ramanna, Assistant Engineer (Retired) and Sri G.Simhachalam, Senior Assistant while they have working as Deputy Executive Engineer (FAC) & Senior Assistant for the irregularities failed to hand over Sub-Divisional and misappropriation of Government funds to a tune of Rs.1.40 lakhs in Irrigation Sub Division, Sompeta.

2. In the reference 2nd cited, Sri B.Ramanna, Assistant Engineer (Retired) and Sri G.Simhachalam, Senior Assistant have submitted their written statement of self defense to the articles of charges denying all the charges and requested to drop the charges framed against them.

3. In the reference 3rd cited, the Project Administrator & Superintending Engineer, Vamsadhara Project Circle, Srikakulam has been appointed as Enquiry Officer to conduct departmental enquiry into the charges framed against Sri B.Ramanna, Assistant Engineer (Retd) and Sri G.Simhachalam, Senior Assistant, Irrigation Sub Division of Sompeta.

4. In the reference 4th cited, the Project Administrator & Superintending Engineer, Vamsadhara Project Circle, Srikakulam and Enquiry Officer has conducted enquiry and submitted his enquiry report. In his report, the Enquiry Officer has stated that the charges framed against the Charged Officers are not held proved.

5. Government after careful examination of the Enquiry Officer's report has decided to disagree with the findings of the Enquiry Officer for the following reasons:

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(i) It is observed that according to Inquiry report both the charged officers committed mis-appropriation of Government funds to a tune of Rs.1,38,982/- and remitted back to Government through Demand Drafts. It shows both of them committed offence. On the plea of remittance of the misappropriated amount to Government, the Charged Officers cannot escape from the offence committed.

(ii) Findings of the Inquiry authority in respect of both the Charged Officers cannot be accepted. It is a clear cut misappropriation. Since both the Charged Officers remitted back the misappropriated amounts to Government Account, it can be termed as "proven-misappropriation".

(iii) According to G.O.Ms.No.2, General Administration (Services-C) Department, dated 04.01.1999 in all proven cases of misappropriation, nothing less than dismissal from service shall be imposed, in respect of in service Charged Officer and withholding of entire pensionary benefits including DCRG shall be awarded permanently in respect of retired charged officer.

6. Government after careful examination of the matter have decided provisionally to impose penalty of permanent reversion to next lower category in respect of Sri G.Simhachalam, Senior Assistant as per Rule 20 of APCS (CC&A) Rules, 1991.

7. In the reference 5th cited, while enclosing a copy of the Enquiry Officer's report along with above reasons for disagreement with findings of the Enquiry Officer are herewith communicated to Sri G.Simhachalam, Senior Assistant to and he is directed to submit his representation if any on the proposed penalty mentioned in the para 6 above within 10 days from the date of receipt of this Memo. If no reply is received within the stipulated time, further action will be taken on the material and records available with the Government.

8. In the reference 6th cited, the charged officer has submitted his representation wherein he has requested to drop further action against him.

9. In the reference 7th read above, the Secretary, APPSC was requested to place the matter before the Commission and obtain the concurrence of the Commission on the proposed penalty of permanent reversion to next lower category in respect of Sri G.Simhachalam, Senior Assistant as per Rule 20 of A.P.C.S (CC&A) Rules, 1991 at an early date. The Secretary, APPSC has informed that the Commission has advised the Government to impose a punishment of stoppage of the two increments without cumulative effect against Sri G.Simhachalam, Senior Assistant vide reference 8th read above.

10. Government after careful examination of the matter, have decided to accept the advice of the A.P. Public Service Commission and direct to impose a punishment of stoppage of two increments without cumulative effect against Sri G.Simhachalam, Senior Assistant.

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11. The Engineer-in-Chief (AW) is requested to take necessary further action accordingly.

(BY ORDER AND IN THE OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri G.Simhachalam, Senior Asst., **through** ENC (AW), I&CAD Dept., Hyderabad.

The Engineer-in- Chief (AW), I&CAD Deptt., Hyderabad..

Copy to the Secretary, APPSC, Hyderabad.

Copy to the Secretary to VC, A.P. Vigilance Commission, Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER